

LUIS OLMEDO ESPINOZA ET AL

Index #: 12 CV 5722

Plaintiff(s)

- against -

Date Filed:

42-15 225TH STREET HOSPITALITY, LLC ET AL

AFFIDAVIT OF SERVICE

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.



That on August 9, 2012 at 07:45 PM at

1460 SECOND AVENUE
NEW YORK, NY 10021

deponent served the within true copy/copies of the SUMMONS & COMPLAINT on EYTAN SUGARMAN, the defendant/respondent therein named,

SUITABLE AGE by delivering thereat a true copy/copies of each to CHRIS RHODES a person of suitable age and discretion. Said premises is the defendant's/respondent's actual place of business within the state. He identified himself as the CO-WORKER of the defendant/respondent.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	WHITE	BROWN	36	5'9	160

MAILING Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the defendant/respondent at the defendant's/respondent's actual place of business at

1460 SECOND AVENUE
NEW YORK, NY 10021

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on August 10, 2012 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.

MILITARY SERVICE Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to me on: August 10, 2012

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2014

Robin Forman
Notary Public, State of New York
No. 01FO6125415
Qualified In New York County
Commission Expires April 18, 2013

GOTHAM PROCESS INC
299 BROADWAY
NEW YORK NY 10007

BYRAN E. MCELDERRY
License #: 869802
Docket #: *821404*